

with the amendments. What the amendment does is strikes all references to testing for the presence of intoxicating drugs. There was concern from the law enforcement officers and the Department of Motor Vehicles regarding whether or not definite levels of drug intoxication were possible and there was a problem as how to perform the testing. So this was deleted from the bill. The amendment also amends Section 60-424 which provides that the Director of Motor Vehicles shall revoke a licensee for the period of time prescribed by the convicting court. The committee amendment provides an exception allowing for revocations made by the department pursuant to the administrative procedure enacted by LB 799 to exceed a period of revocation ordered by the court. Sections 3 and 4 of the bill dealt with procedures for drug testing and so are not needed since we have removed drugs from the bill. Section 60-424 had to be amended since the revocation periods in LB 799 do not agree with those authorized by the court. So with that, I would ask your adoption of the committee amendments.

SPEAKER BARRETT: Thank you, sir. An amendment on the desk.

CLERK: Mr. President, Senators Lindsay and Hartnett would move to amend the committee amendments. (See AM2682 on page 988 of the Legislative Journal.)

SPEAKER BARRETT: The Chair recognizes Senator Lindsay.

SENATOR LINDSAY: Thank you, Mr. President, and members. This amendment to the amendments would, basically, incorporate LB 1020 into the bill. LB 1020 was advanced out of Judiciary Committee and I believe on a...excuse me, LB 1046, I wasn't...it would incorporate LB 1046 into the bill. LB 1046 was advanced out of Judiciary Committee, or, excuse me, not even 1046, LB 1042. It was advanced out of Judiciary Committee, I know that because I was there. The bill, basically, would allow depositions in the case of Class W misdemeanor. A Class W misdemeanor is a DWI. This simply would allow that a deposition be taken with permission of the judge. It is not a mandatory deposition, anything like that, but in the case of a, for example, where there is an expert witness being used to determine whether the, for example, Intoxilyzer was working accurately or was accurately taking the blood alcohol level. What this would do is allow a deposition be taken of an expert so that the parties could adequately prepare for trial. It would work both ways. It is not...either the prosecuting